

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANTONIO GARCIA,

Petitioner,

-against-

JOSEPH T. SMITH, Superintendent,
Shawangunk Correctional Facility,

Respondent.

JUDGMENT
03-CV- 6220 (DGT)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ DEC 6 2005 ★

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A Memorandum and Order of Honorable David G. Trager, United States District Judge, having been filed on November 29, 2005, dismissing petitioner's application for a writ of habeas corpus; and denying a Certificate of Appealability; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that petitioner's application for a writ of habeas corpus is dismissed; and that a Certificate of Appealability is denied.

Dated: Brooklyn, New York
November 30, 2005

s/Robert C. Heinemann
ROBERT C. HEINEMANN
Clerk of Court